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Attorney for Defendants, John C. Kirkland, individually and
Poshow Ann Kirkland, solely as Trustee of the Bright
Conscience Trust Dated September 9, 2009

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

2:18-cv-8323 DSF

In re,
EPD Investment Company, LLC and
Jerrold S. Pressman,
Debtors.

Dist. Ct. No. ~~2:18-cv-01413 DSF~~

Bankruptcy Court:
Case No.: 2:10-bk-62208-ER (Chapter 7)
Adv. No.: 2:12-ap-02424-ER

NOTICE OF RELATED CASES

Jason M. Rund, Chapter 7 Trustee,
Plaintiff,
v.

John C. Kirkland, an individual and
Poshow Ann Kirkland, solely as
Trustee of the Bright Conscience Trust
Dated September 9, 2009,
Defendants.

No Hearing Required

1 John C. Kirkland, an individual and Poshow Ann Kirkland, solely as Trustee
2 of the Bright Conscience Trust Dated September 9, 2009 hereby give notice of the
3 following related cases in connection with the Defendants' motion to withdraw the
4 reference [Doc. # 28]:

5 1. Case No. 2:18-cv-01413 DSF.

6 2. See attached Plaintiff's Notice of Related Cases filed February 26, 2018.

7
8 September 25, 2018

LEWIS R. LANDAU
Attorney-at-Law

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11 By: /s/ Lewis R. Landau
12 Lewis R. Landau

13 Attorney for Defendants
14 **John C. Kirkland, individually and Poshow Ann**
15 **Kirkland, solely as Trustee of the Bright**
16 **Conscience Trust Dated September 9, 2009**
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COREY R. WEBER – Bar No. 205912
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Special Litigation Counsel for
Jason M. Rund, Chapter 7 Trustee

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JASON M. RUND, CHAPTER 7
TRUSTEE,

Plaintiff,

vs.

JOHN C. KIRKLAND, an individual,
and POSHOW ANN KIRKLAND as
TRUSTEE of the BRIGHT
CONSCIENCE TRUST DATED
SEPTEMBER 9, 2009,

Defendants.

Case No. 2:18-cv-01413-DSF

Related Bankruptcy

Case No. 2:10-bk-62208-ER

Related Adversary

Case No. 2:12-ap-02424-ER

**PLAINTIFF, CHAPTER 7 TRUSTEE
JASON M. RUND'S NOTICE OF
RELATED CASES PURSUANT TO
L.R. 83-1.3**

[No Hearing Required]

Plaintiff, Jason M. Rund, the duly appointed and acting Chapter 7 Trustee
("Trustee") for the bankruptcy estate of consolidated debtors EPD Investment Co.,
LLC and Jerrold S. Pressman (the "Debtors"), hereby calls the Court's attention to the
following related cases pursuant to L.R. 83-1.3 (each of the related cases has been
before the Honorable S. James Otero and/or the Honorable John A. Kronstadt, by
virtue of original assignment or judicial transfer following the filing of a notice of
related case):

1. **The following appeals arose from the pending adversary proceeding, *Rund v. Kirkland, et. al.*, Adv. No. 2:12-ap-02424-ER:**

| District Court Case No. | District Court Case Name | Date of Filing (District Court) | Status |
|---|--|------------------------------------|---|
| 2:13-cv-08768-SJO (Honorable S. James Otero, presiding) | <i>John C. Kirkland v. Rund</i> | 11/26/2013 | Closed: 8/29/14 (District Court affirmed the Bankruptcy Court's order denying motion to compel arbitration— affirmed by the United States Court of Appeals for the Ninth Circuit) |
| Appeal of Order Denying Motion to Compel Arbitration | | | |
| 2:13-cv-09023-SJO (Honorable S. James Otero, presiding) | <i>Poshow Ann Kirkland v. Rund</i> | 12/6/2013 | Closed: 4/9/14 (District Court affirmed the Bankruptcy Court's order denying motion to compel arbitration— affirmed by the United States Court of Appeals for the Ninth Circuit) |
| Appeal of Order Denying Motion to Compel Arbitration. | | | |
| 2:13-cv-05536-SJO (Honorable S. James Otero, presiding) | <i>John C. Kirkland v. Rund</i> | 7/31/2013 | Closed: 9/24/2013 (motion to withdraw the reference was denied) |

Motion to withdraw reference to Bankruptcy Court, Motion to Compel Arbitration.

2. **The following appeals by one or more of the Defendants arose from the Debtors' consolidated bankruptcy case, Bankruptcy Court Case No. 2:10-bk-62208-ER:**

| District Court Case No. | District Court Case Name | Date of Filing (District Court) | Status |
|--|---|------------------------------------|--|
| 2:13-cv-08910-SJO (Honorable S. James Otero, presiding) | <i>Poshow Ann Kirkland v. Rund</i> | 12/3/2013 | Closed: 3/17/2014 (appeal was dismissed for lack of standing) |
| Appeal of Order Granting Motion for Approval of Compromise. | | | |
| 2:13-cv-08938-SJO (Honorable S. James Otero, presiding) | <i>Powshow Ann Kirkland v. Rund</i> | 12/4/2013 | Closed: 6/11/14 (appeal was dismissed for lack of standing) |
| Appeal of order Granting Motion for Approval of Compromise. | | | |
| 2:14-cv-01288-JAK (Hon. John A. Kronstadt, presiding) | <i>Poshow Ann Kirkland v. Rund</i> | 2/20/2014 | Closed: 12/22/14 (Poshow Kirkland's motion for leave to file interlocutory appeal was denied—see Docket No. 34) |
| Appeal of interim fee award. | | | |
| 2:14-cv-01845-JAK (Hon. John A. Kronstadt, presiding) | <i>John C. Kirkland and Poshow Ann Kirkland v. Rund</i> | 3/12/2014 | Closed: 6/30/14 (consolidated with Case No. 2:14-cv- 01288-JAK) |
| Appeal of interim fee award | | | |
| 2:14-cv-08371-JAK (Hon. John A. Kronstadt, | <i>Poshow Ann Kirkland v. Rund</i> | 10/29/2014 | Closed: 1/24/15 (appeal was voluntarily |

presiding)

dismissed by
appellant Poshow
Kirkland—see
Docket No. 10)

Appeal of order for payment of previously allowed but unpaid fees

2:18-cv-00098-JAK *Poshow Ann* 1/14/2018
(Honorable John A. *Kirkland v. Rund*
Kronstadt,
presiding)

Closed: 2/05/2018
(Voluntary
dismissal—see
Docket No. 12)

Appeal of order for payment of previously allowed but unpaid fees.

3. The following appeals arose from the Debtors' consolidated bankruptcy case, Bankruptcy Court Case No. 2:10-bk-62208-ER, but involve different appellants in the appeals:

| District Court Case No. | District Court Case Name | Date of Filing (District Court) | Status |
|---|---|------------------------------------|---|
| 2:13-cv-03320-SJO (Honorable S. James Otero, presiding) | <i>Zaballos Munoz- Flores, et al. v. Rund</i> | 5/9/2013 | Closed: 6/10/2013 (motion to withdraw the reference was denied) |
| Motion to withdraw reference to Bankruptcy Court. | | | |
| 2:13-cv-07852-SJO (Honorable S. James Otero, presiding) | <i>Geringer v. Rund</i> | 10/24/2013 | Closed: 4/23/14 (appeal was dismissed for failure to prosecute) |
| Appeal of Judgment finding Geringer in Contempt of Court | | | |
| 2:14-cv-00553-SJO (Honorable S. James Otero, presiding) | <i>Geringer v. Rund</i> | 1/23/2014 | Closed: 4/23/14 (appeal dismissed for failure to prosecute) |
| Appeal of Judgment finding Geringer in Contempt of Court. | | | |

1 2:14-cv-00541-SJO *Geringer v. Rund* 1/23/2014
2 (Honorable S. James
3 Otero, presiding)

Closed: 4/23/14
(appeal dismissed
for failure to
prosecute)

4 Appeal of Judgment finding Geringer in Contempt of Court.
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6 DATED: February 26, 2018

BRUTZKUS GUBNER

8 By: /s/ Corey R. Weber

9 COREY R. WEBER

MICHAEL. DAVIS

10 Special Litigation Counsel for Plaintiff,
11 Jason M. Rund, Chapter 7 Trustee
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NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)

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UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

| | |
|--|---|
| Rund, Trustee PLAINTIFF(S), v. Kirkland et al. DEFENDANT(S). | CASE NUMBER 2:18-cv-01413-DSF |
| | PROOF OF SERVICE - ACKNOWLEDGMENT OF SERVICE |

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, State of California, and not a party to the above-entitled cause. On September 25, 2018, I served a true copy of Notice of Related Cases

by personally delivering it to the person (s) indicated below in the manner as provided in FRCivP 5(b); by depositing it in the United States Mail in a sealed envelope with the postage thereon fully prepaid to the following: (list names and addresses for person(s) served. Attach additional pages if necessary.)
 ECF Delivery-See Attached NEF List

Place of Mailing: _____
 Executed on 9/25, 2018 at Los Angeles, California

Please check one of these boxes if service is made by mail:

- ☒ I hereby certify that I am a member of the Bar of the United States District Court, Central District of California.
- ☐ I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.
- ☐ I hereby certify under the penalty of perjury that the foregoing is true and correct.

/s/ Lewis R. Landau
 Signature of Person Making Service

ACKNOWLEDGEMENT OF SERVICE

I, _____, received a true copy of the within document on _____.

Signature

Party Served

NEF Service List 9/25/18:

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